

Remarks

The Office Action dated September 12, 2005, has been carefully considered. The Applicants respectfully request reconsideration of the application in view of the foregoing amendments and the following remarks.

Claims 2-13 and 16 are allowable. Claims 1 and 16 have been amended, and Claim 10 has been cancelled without prejudice. Claims 1-9 and 11-16 are pending following the above amendments.

Claim 14 is rejected under 35 USC §102(b) as being anticipated by Walton, US 3,480,613.

The structure for compound XI in col. 5 of the Walton reference is incorrectly drawn. The substituent at C-1 of the ribofuranose ring should be OR wherein R is lower alkyl and not OH as shown. This is evident from the name given for compound XI in col. 6, lines 41-42, of the Walton reference and the correct structure given for compound XI in col. 43 of the Walton reference. Since the substituent at C-1 of the ribofuranose in the compounds of Claim 14 is OH and not OR, the Applicants maintain that Claim 14 is not anticipated by the Walton patent. Therefore, the Applicants respectfully request withdrawal of the 102(b) rejection.

Claims 1, 14, and 15 are rejected under 35 USC §103(a) as being obvious over Walton, US 3,480,613 and Wolfe, et al.

Claim 1 stands rejected as being obvious over the Walton US patent and the Wolfe Tetrahedron Letters publication. The Applicants have amended Claim 1 (and Claim 16) to recite the limitation that cleavage of the C-2 O-benzyl ether protecting group is effected by catalytic hydrogenation. Walton and Wolfe teach deprotection of C-2, C-3, and C-5 O-benzoate ester protecting groups by treatment with a base such as methanolic ammonia, conditions that would not work for the chemoselective cleavage of a C-2 O-benzyl ether protecting group in the presence of O-benzoate ester protecting groups at C-3 and C-5 as is found in the process of Claim 1. Reference is made to T.W. Greene, "Protective Groups in Organic Synthesis, 2nd ed, 1991. Therefore, the Applicants maintain that the Walton and Wolfe references do not suggest the claimed chemoselective deprotection of a benzyl ether

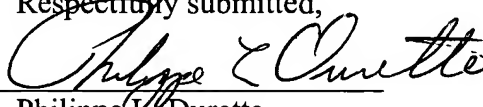
protecting group by catalytic hydrogenolysis in the presence of O-benzoate ester groups and therefore that the amended process of Claim 1 is not obvious over these two references.

The compounds disclosed in the Walton reference closest in structure to those of Applicants' Claims 14 and 15 are those shown in Structure XI, column 43, wherein R and Y can both be lower alkyl and R' and R'' are acyl groups selected from lower alkanoyl, benzoyl, and substituted benzoyl. In the compounds of Claims 14 and 15, R is H, Y is methyl, and R' and R'' are optionally substituted benzoyl. Therefore, the Applicants maintain that Walton does not suggest the specific compounds of Claims 14 and 15 with the expectation of obtaining compounds having similar utility as intermediates in the process of Applicants' invention.

The compounds disclosed in the Wolfe reference closest in structure to those of Claims 14 and 15 are those shown in structures 3a, 3b, and 3c on page 7612 of the reference. The compounds of Claims 14 and 15 have OH at both C-1 and C-2, whereas the Wolfe compounds have either OH at C-1 and O-benzoate at C-2 (structures 3b and 3c) or O-benzoate at C-1 and OH at C-2 (structure 3a). The Applicants maintain that a benzoyl group does not suggest hydrogen with the expectation of obtaining compounds having similar utility as intermediates in the process of Applicants' invention.

Therefore, the Applicants maintain that the process of amended Claim 1 and the compounds of Claims 14 and 15 are unobvious over both the Walton and Wolfe references and they respectfully request withdrawal of the 103(a) rejection.

The Applicants believe that all of the objections and rejections have been overcome by amendment and/or argument, and therefore earnestly solicit an early Notice of Allowance.

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